

MINUTES – MARCH 15, 2004

The Caswell County Board of Commissioners met in regular session at the Historic Courthouse in Yanceyville, North Carolina at 6:30 p.m. on Monday, March 15, 2004. Members present: Mel O. Battle, Chairman, Larry G. Hamlett, Vice-Chairman, Nathaniel Hall, Jack W. Hooper, Cathy W. Lucas, Kenneth D. Travis, and George W. Ward, Jr. Also present: Jeffrey H. Earp, County Manager, Robert V. Shaver, Jr., County Attorney, and Gordon Bendall representing The Caswell Messenger. Wanda P. Smith, Clerk to the Board, recorded the minutes.

MOMENT OF SILENT PRAYER

Chairman Battle opened the meeting with a Moment of Silent Prayer.

APPROVAL OF AGENDA

Commissioner Travis moved, seconded by Commissioner Hall to approve the agenda as presented. The motion carried unanimously.

APPROVAL OF CONSENT AGENDA

Commissioner Hall requested that Item A. Approval of Minutes of the meetings held on February 5, 9, and 23, 2004 be reviewed individually.

Commissioner Lucas requested discussion of Item C. Budget Amendment No. 30.

Commissioner Hall stated that at the joint meeting held on February 9, 2004, with the Person County Board of Commissioners, Roxboro City Council, and Yanceyville Town Council he made specific comments relative to the presentation made by Roxboro Attorney Nick Herman and also made comments relative to comments made by Mr. Steve Smith, Yanceyville Town Manager and would like those comments included in the minutes. Chairman Battle requested that the Clerk to the Board include Commissioner Hall's specific comments made as noted. Chairman Battle requested that the minutes of the February 9, 2004, with the addition of Commissioner Hall's comments be included on the Board's April 5, 2004 agenda.

Commissioner Lucas questioned Budget Amendment No. 30 and whether *Miscellaneous Revenue* has taken the place of *Sale of Fixed Assets* and whether this is because of GASB 34 regulations. Mr. Earp answered that *Miscellaneous Revenue* has taken the place of *Sale of Fixed Assets* and stated that *Miscellaneous Revenue* is used for those items that only have one or two entries per year. Commissioner Lucas questioned Section 1, Item 2. Register of Deeds/Lease Pay Off and asked if this is included in the General Fund. Mr. Earp clarified that this is included in the General Fund.

Commissioner Hall moved, seconded by Commissioner Travis to approve the minutes of the February 5, 2004 meeting as written. The motion carried unanimously.

Commissioner Hamlett moved, seconded by Commissioner Travis to approve the minutes of the February 23, 2004 meeting as presented. The motion carried unanimously with Commissioner Hall abstaining.

Commissioner Hamlett moved, seconded by Commissioner Ward to approve Budget Amendments No. 29 and 30 as presented. The motion carried unanimously.

PUBLIC COMMENTS

Ms. Robin Kipikas Farley 1317 NC Hwy 86, Prospect Hill, came before the Board and stated that she was present to address the subject of a petition presented to the Board of Commissioners at its last meeting. Ms. Farley informed the Board that she owns 20 acres in Prospect Hill and her children have a track that uses one and one-half acres of her property. Ms. Farley added that the average number of bikes that ride on her track is two and the most that have ever ridden there is five and that was for a short period of time. Ms. Farley noted that the track is for personal use only and there have never been plans or intentions to build a commercial race facility. Ms. Farley added that the thought of building a race facility on twenty acres is ridiculous. Ms. Farley stated that her children ride in her yard and they will continue to do so. Ms. Farley informed the Board that a reporter from The Danville Register & Bee came out to her house while their bikes were riding on the track and their investigation found that the petition presented to the Board of Commissioners was extremely misleading. Ms. Farley stated that The Danville Register & Bee described the noise of her children's motorcycles when heard from the Indian Springs Subdivision as that of a distant lawnmower. Ms. Farley added that The Caswell Messenger recently gave a comparison of decibel levels of common things including a car which is 80 decibels at 25 ft., a motorcycle is 88 decibels at 30 ft., a diesel truck is 100 decibels at 30 ft., a power mower has 105 in close proximity, a normal conversation is 60 decibels, and a screaming child is capable of 90 decibels. Ms. Farley stated that the Board of Commissioners was presented with a petition that had 30 signatures and represented 18 families. Ms. Farley added that some of these families live so far away from her that it is enough to render the petition ridiculous and she felt the majority of the people signed because they were misled about the children's track being a commercial venture or they signed because they were told to by their friends and relatives. Ms. Farley pointed out of the 30 signatures on the petition, there were about 15 different handwritings, not 30 and one person signed twice. Ms. Farley stated that apparently when the petition was presented to the Board of Commissioners, Commissioner Lucas felt the need to apologize to the residents of Prospect Hill and went so far as to state that this is a prime example of why the County needs zoning. Ms. Farley added that the County Planner told the Board that if a County-wide Zoning Ordinance was in place, such situations would be less likely to occur. Ms. Farley stated that what she would like to know is, does Commissioner Lucas deliberately mislead people about zoning, and how dare she apologize for the actions of her family in a situation she knows nothing about. Ms. Farley asked does Commissioner Lucas have a

clue as to where she lives, has she seen where her property is, or does she know what type of zoning her property would be likely to receive if zoning were ever implemented. Ms. Farley noted that she lives in the middle of farms and the zoning would be agricultural. Ms. Farley stated that everyone who has come out to her property is in complete amazement and expects to find her in the middle of a neighborhood and instead, ask where are her neighbors. Ms. Farley stated that she feels her family was deliberately misused to further the advocates of the Zoning Ordinance. Ms. Farley added that she was sure that the County Planner would tell the Board that zoning in the area where she lives would not prohibit her children from riding their bikes in her yard. Ms. Farley stated that the only positive thing that has come out of this is that her family has met more people in the last two weeks than in the entire time they have lived there. Ms. Farley added that the interesting thing is that every encounter has been positive, but still she has not been approached by any of the neighbors listed on the petition. Ms. Farley stated that she would like to thank all of the people who did approach them for their support, including a gentleman who drove from Pelham with a fruit basket and a note that commended them for being good parents. Ms. Farley added that as far as she is concerned, the subject is over and she did not expect to be bothered again.

Mr. Bill Bush came before the Board and stated that he understands the situation because he has lived beside a neighbor who had a very loud motorcycle and there are people that are bothered. Mr. Bush added that he spent two years working on the Land Use Plan and Caswell County does have problems that will need zoning. Mr. Bush asked didn't the County have a new asphalt plant right now.

PUBLIC HEARING – RENEWAL OF THE CABLE TELEVISION FRANCHISE AGREEMENT BETWEEN CASWELL COUNTY AND ADELPHIA CABLE

Chairman Battle moved, seconded by Commissioner Travis that the Board enter into a public hearing to receive comments on the renewal of the cable television franchise agreement between Caswell County and Adelphia Cable. The motion carried unanimously.

Mr. Dave Harris, Regional Cable Administrator, Piedmont Triad Council of Governments came before the Board and stated that as a result of the County's membership with them, he supports the County in all cable matters. Mr. Harris added that the matter before the Board is the renewal of the franchise agreement with Adelphia Cable. Mr. Harris stated that this public hearing is intended to provide an opportunity for the citizens of Caswell County to express their views on the past or current performance of Adelphia and to state any future cable related needs there may be in the County. Mr. Harris reminded the Board that Adelphia remains in bankruptcy, having filed under Chapter 11 for reorganization. Mr. Harris added that there has been some news that their reorganization plan has been submitted to the Bankruptcy Judge and at the same time the debtors in possession have presented a petition to the Judge asking that he not approve that and to auction off all assets of Adelphia. Mr. Harris stated that it appears that the reorganization will probably take place towards the end of this year. Mr. Harris added that this will not impact Caswell County because Adelphia has upgraded the County's

cable system, the County has the high speed data service for all cable subscribers, and the County is receiving franchise fees under the terms of the current Franchise Agreement. Mr. Harris noted that that basically the County is not impacted right now, and he will see how the County will be impacted after the reorganization.

Chairman Battle opened the floor for public comments. There being no public comments, Chairman Battle declared the public hearing closed.

AMENDMENT OF CABLE SERVICES REGULATORY ORDINANCE

Mr. Dave Harris, Regional Cable Administrator, Piedmont Triad Council of Governments, reported that the County has contracted with PTCOG to provide assistance in the renewal of a cable television franchise agreement with Adelphia Communications. Mr. Harris stated that after examination of the current Ordinances, he recommends that the County amend the County Ordinances to include a chapter on cable television services. Mr. Harris noted that the current Chapter on Cable was adopted in 1985 and many of the provisions of this Chapter have been overtaken by more current federal statutes. Mr. Harris reported that he has drafted an amendment to the County Code of Ordinances that establishes the rules for conducting cable television “business” within the County for consideration by the Board.

Mr. Harris reported that the proposed amendment addresses the complex and rapidly changing technology associated with cable television, provides for cable service to the maximum number of County residents and provides for a cable system that will be capable of accommodating both the present and reasonably foreseeable future state-of-the-art cable communications needs of the County.

Mr. Harris stated that, specifically, the proposed Ordinance addresses construction standards, use of public rights-of-way, transfer of ownership of the franchise, franchise renewal, forfeiture and revocation procedures, insurance/performance bonds, penalties for non-performance, services to subscribers, users and customer service standards and a myriad of rules associated with the protection of the citizen, the County, and the cable operator.

Mr. Harris stated that, as indicated in the draft Ordinance, the Franchise Agreement with a specific cable operator would contain provisions for term of the agreement; general categories of programming; general design and state-of-the-art provisions; upgrade of the system, if applicable; franchise fees; and construction schedule for new cable systems.

Mr. Harris reviewed the proposed Ordinance and requested that the Board consider adoption as presented.

Chairman Battle questioned Section 8-5.3 Drops to Public Buildings of the proposed Amendment and asked where the cable drop is in relation to the schools. Mr. Harris answered that he would work with the County Manager and identify where the drops need to be.

Chairman Battle asked how far Charter Communications of Roxboro can come into the County. Mr. Harris answered that Charter could build the entire County if it wanted to, but because of economics and the population density it probably would not happen. Chairman Battle noted that Charter Communications provide cable services to Leasburg and Milton subscribers.

Commissioner Lucas asked if the County's current Ordinance No. 22 would be repealed and replaced by the proposed Ordinance. Mr. Harris answered that the Board would need to repeal the County's current proposed "Ordinance Governing the Granting of Franchises for the Construction and Operation of Community and Tenant Television Systems in Caswell County, North Carolina" and it would be superseded by the proposed "Caswell County Cable Communications Regulatory Ordinance".

After questioning from Commissioner Lucas, Mr. Harris answered that he would negotiate new franchise agreements with Adelphia and Charter after the proposed Ordinance is adopted and negotiations would be based on this Ordinance. Commissioner Lucas asked if this would expand cable service in the County, and if so, how. Mr. Harris answered that the adoption of the proposed Ordinance would expand cable service in the County because the proposed Ordinance is stricter and they would now be building cable service for 15 to 20 homes per mile.

After further discussion, Commissioner Hall moved, seconded by Commissioner Travis to repeal Ordinance No. 22, "Ordinance Governing the Granting of Franchises for the Construction and Operation of Community and Tenant Television Systems in Caswell County, North Carolina" and adopt the "Caswell County Cable Communications Regulatory Ordinance" as presented. The motion carried unanimously.

DEPARTMENT OF SOCIAL SERVICES

Ms. Bettye Parker, Department of Social Services Director came before the Board to present a proposed Corrective Action Plan for the State Facility Inspection of the Department of Social Services which was conducted in February, 2004. Ms. Parker stated that there are a number of areas where they need to make repairs or upgrades to the Social Services building and equipment. Ms. Parker added that a Corrective Action Plan is due in Raleigh from the Board of Commissioners by May 8, 2004. Ms. Parker noted that they have already taken steps to address some of the concerns that were identified in the inspection. Ms. Parker reported that the Board has already assisted them by replacing furnishings in their lobby and they have added two phone lines. Ms. Parker stated that in the Corrective Action Plan they have identified steps that they would like to be able to take beginning no later than July 1 with funding to be approved for those items for that budget year. Ms. Parker added that there are a number of areas they have covered including file cabinets, computer equipment, carpet replacement, painting and other items that need to be addressed. Ms. Parker stated that it will cost approximately \$35,000 to do everything that is needed. Ms. Parker added that there will be savings in the Medicaid line item for this year, in addition to the State Foster Care Program. Ms.

Parker noted that the last review of the Social Services facilities took place three years ago.

Chairman Battle stated that in his eight years as Commissioner, this is the first review of the DSS facility that he has seen. Chairman Battle questioned Ms. Parker as to whether she was aware of the review three years ago, which was prior to her appointment as DSS Director. Ms. Parker answered that she was aware that reviews of the facility were done periodically, but she had never seen one.

Ms. Parker stated that there are a number of items noted in the Corrective Action Plan that she would like to recommend be addressed in this fiscal year.

Ms. Parker reviewed in detail the Corrective Action Plan. There was considerable discussion and a number of questions and recommendations by the Board concerning the Plan. Chairman Battle instructed Ms. Parker to incorporate the recommended changes into the proposed Corrective Action Plan and bring it back to the Board for consideration at its April 5th meeting.

Ms. Parker provided for the Board's review and consideration a copy of the recently completed Child Welfare Crisis Compensation and Study Report. Ms. Parker stated that this report was completed by the NC Office of State Personnel in collaboration with the NC Department of Health and Human Services – Division of Social Services and the NC Association of County Directors of Social Services. Ms. Parker added that this report makes various recommendations regarding pay administration options to reduce significant turnover in Child Welfare Social Worker positions in local Departments of Social Services. Ms. Parker noted that these pay options are generally accepted compensation practices and strategies in the professional field of human resources administration. Ms. Parker reported that the study also concluded the need for a higher classification level for Child Welfare Social Workers that perform investigative/assessment and treatment functions.

Ms. Parker reported that a Study Commission is investigating the fatalities among the caseload of children who have been involved in Child Protective Services. Ms. Parker stated that one very important contributing factor to this crisis is the ability to recruit and keep qualified staff to carry out this responsibility. Ms. Parker informed the Board of the responsibilities and the typical life of a Child Protective Services worker along with the dangerous situations that they are involved in and the risks they encounter. Ms. Parker reported that recruitment and retention statistics for the County is much like that in the report and noted that over the past five years there has been one year in Caswell County that DSS had a stable work force in Child Protective Services.

Ms. Parker stated that one strategy that is being required to address this crisis situation is a new classification for Child Protection Service workers. Ms. Parker noted that during the period of now through June 30, 2004, counties have an option of whether to implement this, but beginning July 1, 2004, the new classification becomes mandatory. Ms. Parker stated that she is going to need some guidance from the Board of

Commissioners as to where this new classification will fit into the County Pay Plan for the coming year. Ms. Parker added that at the State level, the new classification is two steps higher than the current classification.

Chairman Battle stated that he has seen these Child Protective Services workers at work and in court and he has a profound respect for this worker. Chairman Battle asked Ms. Parker if she felt the new classification and salary would attract and retain the workers and help to address the situation. Ms. Parker answered that she felt it would help and felt if Caswell County does not do something and other counties do, come July 1st her department will be even worse off. Ms. Parker stated that some strategies need to be figured out to make the position more family friendly and less stressful.

Commissioner Lucas asked how many Child Protective Services workers there are at the Department of Social Services. Ms. Parker answered that there are four positions, but one position is vacant. Commissioner Lucas questioned the starting salary for this position. Ms. Parker answered that the starting pay for a fully qualified Social Worker III is \$28,259, but it is very rare for them to be able to hire a fully qualified person for this position and she usually has to hire a trainee or Social Worker I. Commissioner Lucas asked what the top of the pay scale would be for this position. Ms. Parker answered that she did not have the information with her as to the top of the pay scale, but the salary of their highest paid worker is \$29,796. Commissioner Lucas stated that she would like to see the beginning and ending salary for this position.

Commissioner Hall questioned the caseload for last year in Child Protective Services. Ms. Parker answered that the caseload as of the end of February was 45 and noted that a caseworker is not supposed to have more than 12 families at one time because the work is very intense and a lot of time is needed with each family. Commissioner Hall questioned the staffing pattern and Ms. Parker answered that each caseworker generally works an eight to five schedule, but if they know they will be meeting with a family at night, they can adjust their work day schedule. Commissioner Hall noted that this could be an area where they could adjust their staffing patterns.

Ms. Parker stated that she has time to review this classification study and include a recommendation in her proposed budget for 2004-2005. Mr. Earp stated that there needs to be some adjustment made, and the issue needs to be studied further and brought to the Board for consideration during budget deliberations.

Ms. Parker informed the Board on the status of Medicaid funds and noted that there would not be a surplus for the coming year.

ABC BOARD

Chairman Battle reported that the ABC Board has submitted a *Resolution in Support of the Present System of Alcoholic Beverage Control* to the Board for its consideration. Chairman Battle informed the Board that the General Assembly will be establishing a Study Committee to study all aspects of the ABC System and the issue of privatization

will also be studied. Commissioner Hall stated that he thought it was premature to vote against a study. Commissioner Hall added that the legislature is appointing a committee to study this issue, and at a minimum, the Board should hear the results before it takes a vote. Commissioner Hall stated that at some point when the Board hears the results of the study, then the Board can make an informed opinion, but right now he did not have an informed opinion on this.

The Board took no action on this issue at this time.

NC AWARD FOR OUTSTANDING VOLUNTEER SERVICE

Mr. Jeff Earp, County Manager, reported that he has received the information concerning the 2004 North Carolina Award for Outstanding Volunteer Service. Mr. Earp informed the Board that Ms. Wanda Smith, Clerk to the Board, would serve as this year's Coordinator. Mr. Earp stated that advertisements for nominations would begin next week and would be accepted through April 23, 2004. Mr. Earp added that the Program allows for five nominations from each county and has to be in to the State by May 28, 2004. Mr. Earp requested that the Board of Commissioners sit as the Nominations Evaluation Committee. Chairman Battle asked that this information be disseminated as widely as possible. The Board agreed that it would sit as the Nominations Evaluation Committee to select five nominations for outstanding volunteer service.

RECESS

The Board held a brief recess.

COUNTY MANAGER'S REPORT

Mr. Jeff Earp, County Manager, presented a request from Ms. Rosa Carrington, Section 8 Housing Program Director, for the purchase of new software in order to meet current HUD Regulations and Standards. Mr. Earp reported that Ms. Carrington would like to enter into an agreement with Lindsey & Company, Inc. to upgrade their Lindsey Software Program. Mr. Earp added that the purchase of this software would come from Section 8 Housing reserve funds. Commissioner Hall asked if Section 8 Housing currently has the hardware that is required. Mr. Earp answered that the Section 8 Housing Program does have the required hardware. Commissioner Hall asked if the Section 8 Housing Program uses all of the modules listed in Exhibit C and Ms. Carrington confirmed that they do. After further discussion, Chairman Battle moved, seconded by Commissioner Hamlett to approve the proposed agreement between Lindsey & Company, Inc. and Caswell County Section 8 Housing Program as presented. The motion carried unanimously.

Mr. Earp reported that at an earlier meeting Mr. Tim Smith, Solid Waste Director, came before the Board asking for approval of the Scrap Tire Recycling and Disposal Contract with the vendor, Central Carolina Holdings, LLC. Mr. Earp added that at that time the Board instructed Mr. Smith to obtain competitive bids for this service. Mr. Earp reported

that Mr. Smith discussed a five year contract for disposal of the County tires with three other tire companies; however, they do not accept tires with rims on them and the County receives a lot of tires on rims. Mr. Earp added that the three companies were:

- ?? Tires, Inc. – located in Winston-Salem. Will not accept tires larger than 11 R X 22.5.
- ?? Gladden Tire Disposal – will not accept off-road tires.
- ?? US Tire Disposal – will give the same contract at the disposal rate because they are a sister company to Central Carolina Tire Disposal; however, it will cost more to haul the tires to Charlotte than Sanford.

Mr. Earp stated that Mr. Smith informed him that it would not be cost efficient to pay additional fees to have the tires taken off the rim and then haul different size tires to other locations. Mr. Earp added that Mr. Smith feels the County has a good disposal rate with Central Carolina at \$55 per ton compared to \$65 and \$70 at other locations. Mr. Earp stated that Mr. Smith did not recommend sending the easy to handle tires to one company and the harder to handle tires to another location because this would jeopardize the current rate.

Commissioner Lucas reported that she checked with local tire vendors to see if there is a market for scrap tires and learned that there definitely is a market for these tires. Commissioner Lucas referred to **Section 2) Recycling and Disposal Services, a) Contractor Responsibilities**, “The contractor agrees to accept tires once they are hauled in by a contractor of Caswell County Solid Waste”, and stated that there is a company in Martinsville, Virginia that recycles tires for other products. Commissioner Lucas stated that if the County has to hire a contractor to transport tires to Cameron, it may be in the County’s best interest to table this issue until the Board’s next meeting so that it can obtain more information about the possibility of transporting tires to Martinsville instead of entering into a five-year contract with a company and paying them \$55 per ton to transport the tires.

Commissioner Hall asked how the proposed contract cost compares to the scrap tire revenue. Mr. Earp answered that it is almost a break-even proposition.

Commissioner Travis stated that a lot of companies will not take tires that are on rims and the current contractor, Central Carolina Holdings, will accept tires on the rims.

Mr. Earp clarified that in the contract, it states that the contractor will provide collection, transportation, recycling, and disposal, not the County. Mr. Earp added that the contractor comes to the landfill and picks up the tires.

Commissioner Lucas stated that she talked to some tire dealers in the County and they were concerned that the County would be entering into a five-year contract and asked who set the terms. Mr. Earp answered that Central Carolina Holdings presented a contract with the five-year term.

After further discussion, Commissioner Travis moved, seconded by Commissioner Hooper to accept the Solid Waste Director's recommendation and approve entering into a contract with Central Carolina Holdings, LLC to dispose of the County's scrap tires as presented. The motion carried by a vote of five to two with Commissioners Battle and Lucas voting no.

Mr. Earp reported that the Caswell County Sheriff's Department has implemented a policy and procedure pertaining to "Domestic Violence Surrender of Firearms". Mr. Earp stated that the Sheriff's Department has to store these firearms that are surrendered to their possession. Mr. Earp added that Sheriff Welch has submitted the following proposed fees: \$20 administrative fee, \$5 storage fee per month for long guns, and \$2 per month for handguns. Upon questions from the Board as to whether the fees required the Board's approval, the County Attorney stated that the Sheriff can charge a fee, while the County has general authority to set fees. Mr. Shaver added that the Sheriff can charge a fee and it is then turned over to the County Finance Office. Mr. Shaver stated that he felt it would be best practice for the Board to approve the fees. Commissioner Hall asked if the Sheriff has the capability to store weapons. Mr. Earp answered that the Sheriff does have the capability to store weapons and he has secured an evidence room for this purpose. Commissioner Hall asked what the County's responsibility is in this. Mr. Shaver answered that it is the Sheriff's responsibility to enforce the Statute pertaining to this situation. Upon questioning from Commissioner Hall, Mr. Earp answered that it is the Court's responsibility whether a firearm is returned to its owner and it is not the County's responsibility. Commissioner Hooper asked what would happen if the Court decides not to return the weapon to its owner. Mr. Earp answered that the weapon would then be put up for sale at public auction or destroyed. After further discussion, Chairman Battle moved, seconded by Commissioner Hamlett to approve the fees as outlined by the Sheriff for "Domestic Violence Surrender of Firearms". The motion carried unanimously.

Mr. Earp reported that at the Board's March 1, 2004 meeting, it was made aware of a report from Mr. Hugh Jernigan, NCDENR, concerning animal burial at the Caswell County Landfill. Mr. Earp stated that Mr. Jernigan had a concern that the continued practice of burying animals at the closed Landfill site would result in contamination of its monitoring wells. Mr. Earp added that after being instructed by the Board, he talked with Mr. Tim Smith, Solid Waste Director, to see if there was an alternate site available on the property. Mr. Earp stated that after talking to Mr. Smith, they feel that animal burial at the Landfill should cease or employ an alternate method. Mr. Earp added that after reviewing a map of the Landfill, they could not identify an area that would be acceptable that would not interfere with current monitoring wells that are in place. Mr. Earp noted that while the Landfill site consists of a number of acres, the actual useable acreage is small due to the topography of the land. Mr. Earp added that there are also two streams that run through the property. Mr. Earp suggested that the Board could consider the following options: 1) explore the possibility of using an incinerator; 2) have the farmers be responsible for burying their own animals on their farm in accordance with State Statute; and 3) explore the possibility of using a company in Reidsville that will pick up these dead animals at \$20. Mr. Earp stated that the County is in the process of rebidding

its garbage collection contract and could possibly include the disposal of large animals as it now does small animals. Chairman Battle asked how many large animals are brought to the Landfill. Mr. Earp answered that according to the Solid Waste Director, it varies but on an average, one large animal per week is brought in. Commissioner Hall asked if it is safe to dispose of small animals at the landfill and questioned whether it would contaminate the water supply. Mr. Earp clarified that the small animals are placed with the household garbage and hauled off. Mr. Earp stated that according to Sheriff Welch, a farmer can bury an animal on his own property if it is an agricultural operation with a designated site. Commissioner Hall asked if anyone is monitoring the burying of animals on property. Mr. Earp answered that he is not aware of any monitoring of this. Chairman Battle asked if the County could stipulate for what an incinerator is to be used. Mr. Earp answered that the County could stipulate exactly for what an incinerator could be used. Commissioner Lucas noted that Rockingham County disposes of animal carcasses in its landfill and they have monitoring wells all around. Commissioner Lucas asked if there is documentation as to the number of large animals brought to the landfill. Mr. Earp answered that he would check with the Solid Waste Director to see if this is documented. After further discussion, Chairman Battle moved, seconded by Commissioner Ward that this item be tabled in order for the County Manager to gather the necessary information and bring back to the Board at its April 5th meeting. The motion carried unanimously.

Mr. Earp presented a request from Mr. Thomas Bernard, Tax Director to employ a temporary part-time employee from Piedmont Community College's Work Force Investment Act Program. Mr. Earp stated that the student would work 20 hours per week for approximately 16 weeks at no cost to the County. Mr. Earp added that the student would perform the duties of filing abstracts, making map copies, making tax appraisal cards, working with the public helping them find information, sorting mail, and general office duties. After discussion, Commissioner Hamlett moved, seconded by Commissioner Travis to approve the request submitted by the Tax Director to employ a temporary part-time employee through Piedmont Community College's Work Force Investment Act Program to work 20 hours per week for approximately 16 weeks at no cost to the County. The motion carried unanimously.

Mr. Earp presented a request from Ms. Trudy Walker that the Board consider reestablishing a solid waste collection center at the former Hightowers site. Mr. Earp recommended that the Board consider this request at budget time. Upon questioning from Chairman Battle, Ms. Trudy Walker answered that Mr. Mukesh Patel is the owner of the business, and is leasing the building from her. Chairman Battle asked when the current contract would expire and Mr. Earp answered that the contract expires in September, 2004. Chairman Battle informed Ms. Walker that the Board would consider her request during budget deliberations.

Mr. Earp informed the Board that he has received notice from Mr. Jim Lora, School Planning Consultant, NC Department of Public Instruction that the Roofing/HVAC Project at Bartlett Yancey High School has been approved for funding in the amount of \$150,000 from the Public School Building Capital Fund.

Mr. Earp provided the Board with visuals that he is planning to use to integrate the County Slogan into the community and day-to-day operations for the County. Mr. Earp reviewed the make-up of the proposed County license plate or bumper sticker, proposed NCDOT signs that will be erected on rights-of-way, proposed County letterhead, proposed sign that would be erected on US Hwy 29 and provided the Board with the cost of each. Upon questioning from Commissioner Lucas, Mr. Earp answered that if the Board approves the license plate or bumper sticker, he will obtain three competitive bids. The Board agreed for Mr. Earp to obtain bids on both the license plate and bumper sticker. Mr. Earp noted that prison labor would be used to construct the masonry sign that would be erected at the County line. Mr. Earp was directed to obtain the cost for erecting the masonry sign and then they would decide how many the County would erect. Mr. Earp stated that he would obtain costs for these signs and report back to the Board at its April 5th meeting.

Mr. Earp reported that he has received the February Budget Report that includes year-to-date expenditures and revenues from the Finance Office. Mr. Earp stated that as of the end of February, revenues are at 66% and expenditures are at 63%. Mr. Earp added that while this is promising news, he has found some areas of the budget which is causing him grave concern for the fourth quarter and he will be analyzing the overall budget to make corrections. Mr. Earp stated that his main areas of concern at this point are with the Facility Maintenance and EMS budgets, with a shortfall projected in Facility Maintenance and Repair of \$10,000 and a shortfall in EMS Salary line item of possibly as much as \$58,000. Mr. Earp added that the shortfalls in Facility Maintenance and Repair has been caused by several issues, such as decreasing funding in that budget over the last three years, while also cutting funding in capital projects. Mr. Earp noted that in reviewing the EMS Salary line item, the shortfall has been caused by resignations of employees with significant vacation time that had to be paid, the change in the County's Overtime Policy, and employees being out of work due to sick, vacation, and workers' comp. situations. Mr. Earp reported that he and the Finance Director would be reviewing the overall budget in order to avoid appropriations of any new monies and would present this to the Board at its April 5th meeting.

Mr. Earp stated that it is time to start preparing for the 2004-2005 Annual Budget and is requesting from the Board its directive for this process. Mr. Earp reported that the economic outlook for 2004-2005 is similar to the growth shown for last year in that the Office of State Budget and Management, in consultation with Global Insight, Inc., has predicted gains in retail sales and personal income growth in North Carolina for the fiscal year 2004-2005 at an average rate of greater than three percent. Mr. Earp stated that realistically, he is envisioning a two and one-half percent increase in growth. Mr. Earp noted that he has been unable to get the normal projected revenue gains from the North Carolina Association of County Commissioners as that report will not be out until April. Mr. Earp added that he did feel that there will be an overall increase in sales tax revenue due to the fact that the County will feel the effects of a complete year with Article 44 sales tax. Mr. Earp stated that the total budget of the 2003-2004 year was \$19,597,307 and showed growth from the previous year's budget, with that growth being mainly attributed to increases in operating costs for health insurance, liability insurance,

workers' comp, and general inflation, while there was some needed expansion in staffing. Mr. Earp added that he felt the focus of the 2004-2005 budget should be capital improvements and concerns of inflation such as increased cost in gasoline, health insurance, and Medicaid. Mr. Earp noted that he is concerned about the increase in Medicaid this year due to the supplemental federal funding the County got last year not being available this year. Mr. Earp reported that projections on health insurance renewal show a five to ten percent increase which is a significantly lower increase than in past years. Mr. Earp added that projections on liability and workmen's comp insurance actually project a combined decrease. Mr. Earp stated that he would like to get directives from the Board as to: 1) whether they would like to issue any special instructions due to this being a revaluation year; 2) cost-of-living adjustment for employees; and 3) mileage reimbursement rate. Chairman Battle stated that he would like for the Board to hold a special work session to get the Board's ideas in terms of the budget process and then give directives to the County Manager.

Mr. Earp reported that the NC License Plate Office will be closed on March 29, 30, and 31 due to the operator taking vacation. Mr. Earp stated that this closing has been approved by the State and will be advertised in The Caswell Messenger.

Mr. Earp reported that there has been some conversation as to why EMS collections were less for January and February, 2004. Mr. Earp stated that since the introduction of HIPPA, Emergency Services has been having difficulty in billing Medicaid and Medicare in a manner that they find acceptable. Mr. Earp added that Emergency Services has been working with the agencies involved and Medicaid billing has now been corrected, and hopefully, Medicare billing will soon be corrected.

Mr. Earp reported that Sheriff Michael Welch has requested permission to apply for a grant entitled, The 2004 Law Enforcement Terrorism Prevention Program, which has a deadline for submission of April 2, 2004. Mr. Earp added that the purpose of the grant is to allow law enforcement to provide a comprehensive and strategic resource that will focus exclusively on voice communications among federal, state, and local authorities in the event of terrorism, prevention of terrorism, or intervention of terrorism. Mr. Earp noted that Sheriff Welch did not feel confident that the grant would be approved for funding, but did want the opportunity to apply and would require no local match. After discussion, Commissioner Travis moved, seconded by Commissioner Hooper to authorize Sheriff Welch to apply for the 2004 Law Enforcement Terrorism Prevention Program Grant. Commissioner Lucas requested that the County Manager again state the purpose of the grant, after which she asked if this grant is for communication equipment. Mr. Earp answered that the grant would provide for communication equipment. Upon a vote of the motion, the motion carried unanimously.

OTHER BUSINESS

Commissioner Hooper stated that he and Commissioner Hamlett have an item for discussion. Commissioner Hamlett provided the Board members with a configuration of the Caswell County Tax Office. Commissioner Hooper described to the Board proposed

changes in the configuration of the Tax Office being proposed by Mr. Thomas Bernard, Tax Director. Chairman Battle stated that he appreciates the drawing presented, but this is not Mr. Bernard's choice, this is the Board of Commissioners' choice and the Board asked Mr. Bernard to do this over two years ago due to there not being any privacy for taxpayers. Chairman Battle added that the Board has been waiting on this. Chairman Battle asked the County Manager if he was aware of the proposal by Mr. Bernard and Mr. Earp confirmed that he had no knowledge of it. Chairman Battle stated that he would suggest that the County Manager meet with the Tax Director to review the proposed plan and determine costs.

Commissioner Hooper reported that due to the flooding of the Courthouse, the Tax Office and Register of Deeds' Offices are in need of carpet. Commissioner Hooper stated that since the Court System is currently in the process of installing new carpet, now would be the time to replace the carpet in these offices as well. Mr. Earp stated that he has already instructed the Tax Director, in conjunction with the Register of Deeds, to obtain the costs for replacing carpet in their offices so it can be added to the quote for the Court System. Mr. Earp added that he is also considering replacing the carpet at the Department of Social Services building at this time in an effort to save money. Commissioner Hall asked if the flooding problem has been corrected and Mr. Earp stated that there has been no incident of flooding since the repair.

Commissioner Hall announced that the Self-Help Credit Union of Greensboro will have its quarterly meeting in Caswell County on Friday, April 30, 2004. Commissioner Hall stated that he invited the group to Caswell and added that its mission has to do with affordable housing and economic development. Commissioner Hall added that as it relates to economic development in small and medium sized businesses, they have a large amount of money and access to a lot of money. Commissioner Hall invited the Board to attend this Advisory Board meeting on April 30 and hear firsthand how this group may be able to help businesses in Caswell County.

Commissioner Lucas stated that she has some information that she would like to share with the Board that she received from Mr. David Owens of the Institute of Government concerning land use planning and zoning. Commissioner Lucas read the following excerpt from the information, "There has been a steady trend over the past decade for extension of County zoning. In 1964 only a single county, Durham County, had county-wide zoning". Commissioner Lucas shared with the Board a map dated 2002 showing county-wide zoning in which 52 counties have county-wide zoning, 18 counties have partial zoning, and 30 are not zoned. Commissioner Lucas stated that for the most part, the unzoned counties are those with low population densities, 28 having population densities below the State average of 163 people per square mile, 22 having population densities under 75 persons per square mile. Commissioner Lucas added that the County's Planning Board and its Chairman constantly refer to Alamance County as an example of not having zoning in talking about the counties around Caswell that do or do not have zoning. Commissioner Lucas noted that Person County has zoning, Rockingham County has zoning, and Pittsylvania County and the City of Danville has zoning. Commissioner Lucas stated that she spoke to Mr. Craig Harmon, Director of Planning for Alamance

County and Mr. Ernie Koury, Vice-Chairman of the Alamance County Planning Board and was told that zoning in Alamance County will be addressed in the near future, but the reason there is not such an imminent need for it is because they have 10 municipalities within the County of Alamance and those municipalities are zoned. Commissioner Lucas noted that the municipalities take up a lot of the land mass in Alamance County and it would be a fallacy to say that Alamance County is not zoned. Commissioner Lucas informed the Board of an incident whereby a group of citizens came to the Alamance County Planning Board's meeting held this past Thursday because they were being threatened by extraterritorial jurisdiction by a municipality and were requesting that their community be zoned because they did not want to be taken in by the municipality. Commissioner Lucas added that the Planning Board voted 13 to 2 in favor of approving the zoning for the community.

Chairman Battle questioned Mr. Gordon Bendall of The Caswell Messenger as to how much it cost for the advertisement of delinquent taxpayers. Mr. Bendall answered that it cost \$3 per name and there were approximately 900 names published. Chairman Battle questioned the County Manager as to the feedback received after the publication of delinquent taxpayers in terms of collections and what avenues are pursued from this point. Mr. Earp stated that he would have the Tax Director prepare a report for the Board to address this issue.

Chairman Battle asked if repairs have been made on the bench in the Historic Courthouse. Mr. Earp answered that he has contacted Mr. Tom Freeze concerning repair of this bench, but he has not returned his call.

Chairman Battle questioned the surveying occurring on NC Hwy 86 from the stop light to Danville, Virginia and asked that the County Manager obtain information on this.

Chairman Battle reported that representatives of McDonald's have requested a turning lane into their business off of NC Hwy 86. Chairman Battle requested that the County Manager obtain information for proceeding with this request to the NC Department of Transportation.

Chairman Battle reported that he noticed in the agenda package for the Board's joint meeting with the Board of Education that all the topics for discussion were submitted by the Board of Commissioners and expressed concern that the Board of Education had not submitted any topics for discussion.

Commissioner Lucas informed the Board that she has information regarding the paving of the Recreation Park parking lot. Commissioner Lucas stated that she has spoken to Representative Nelson Cole and he feels very confident that funding will be approved for the Recreation Park parking lot when the Transportation Board meets the first of April. Commissioner Lucas noted that this amount would be approximately \$30,000.

CLOSED SESSION

Chairman Battle moved, seconded by Commissioner Hamlett that the Board enter into closed session to preserve the Attorney/Client privilege (NCGS 143-318.11(a)(3)). The motion carried unanimously.

REGULAR SESSION

Chairman Battle moved, seconded by Commissioner Travis to resume regular session. The motion carried unanimously.

SPECIAL BUDGET MEETING

The Board agreed to schedule a special meeting on March 29, 2004, at 6:30 p.m. to hold a workshop to discuss budget directives for fiscal year 2004-2005.

SPECIAL JOINT MEETING WITH BOARD OF EDUCATION

Chairman Battle reminded the Board of a special joint meeting with the Board of Education to be held on Tuesday, March 16, 2004, at 6:30 p.m.

SCHOLARS' LUNCHEON

Chairman Battle reported that he recently attended the annual Scholars' Luncheon held at Bartlett Yancey High School.

PROPOSED ORDINANCE TO PLACE A MORATORIUM ON CONSTRUCTION AND ERECTION OF POLLUTING INDUSTRIES IN CASWELL COUNTY

Commissioner Lucas moved, seconded by Commissioner Ward to schedule a public hearing on April 5, 2004, to consider the adoption of an *Ordinance to Place a Moratorium on Construction and Erection of Polluting Industries in Caswell County*.

Commissioner Hall questioned the rationale of adopting such an Ordinance. Commissioner Lucas answered that the adoption of such an Ordinance would be to deter the location of these types of adverse industries in Caswell County. Commissioner Hall noted that the issue is subjective.

Upon a vote of the motion, the motion carried by a vote of four to three with Commissioners Hall, Hamlett, and Travis voting no.

THE ADJOURNMENT

At 10:15 p.m. Commissioner Hamlett moved, seconded by Commissioner Travis to adjourn the meeting. The motion carried unanimously.

Wanda P. Smith
Clerk to the Board

M. O. Battle
Chairman
